

1 ARTHUR J. CASEY (Bar No. 123273)  
2 CARRIE M. DUPIC (Bar No. 240252)  
3 ROBINSON & WOOD, INC.  
4 227 North First Street  
5 San Jose, CA 95113-1016  
6 Telephone: 408/298-7120  
7 Facsimile: 408/298-0477

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10 Attorneys for Defendant  
11 DHL CANADA EXPRESS, LTD. a  
12 Canadian corporation; and LOOMIS CANADA  
13 HOLDING COMPANY, INC. a Canadian  
14 Corporation

15 TRICOR AMERICA, INC., a California  
16 corporation

17 Plaintiff,

18 vs.

19 DHL CANADA EXPRESS, LTD., a  
20 Canadian corporation; LOOMIS CANADA  
21 HOLDING COMPANY, INC., a Canadian  
22 corporation; and DOES 1 through 25,  
23 inclusive,

24 Defendants.

25 Case No. C 07 4949 CRB

26 **DEFENDANTS' NOTICE OF  
27 WITHDRAWAL RE MOTION TO  
28 DISMISS UNDER RULE 12(b)(6)**

29 Complaint filed: September 25, 2007

30 Assigned to Judge Charles R. Bryer

31 TO THE COURT, PLAINTIFF, AND ITS ATTORNEY OF RECORD:

32 PLEASE TAKE NOTICE that pursuant to Local Rule of Court 7-7(e), Defendants DHL  
33 Canada Express, Ltd., and Loomis Canada Holding Company, Inc., both Canadian corporations,  
34 HEREBY WITHDRAW their Motion to Dismiss Under Rule 12(b)(6) because that motion  
35 concerned Plaintiff's original Complaint, which has since been superceded by Plaintiff's First

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1 Amended Complaint ("FAC"). Defendants are evaluating the FAC and reserve the right to  
2 challenge that pleading as allowed by Rule 12.

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4 Dated: November 30, 2007

ROBINSON & WOOD, INC.

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6 By: CARRIE M. DUPIC

7 CARRIE M. DUPIC  
8 Attorneys for Defendants,  
9 DHL CANADA EXPRESS, LTD. a  
Canadian corporation; and LOOMIS  
CANADA HOLDING COMPANY, INC. a  
Canadian Corporation

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